

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Plaintiff,

09cv1477

ELECTRONICALLY FILED

v.

FATIN ALKHAFAJI in her capacity as
Administrator of the Estate of Abbass Alkhafaji,
A.A. a minor, ALLIAH ALKHAFAJI,
SHAEMAH ALKHAFAJI, BETOOL ALI in her
capacity as Executor/ Administrator/ Trustee/
Representative or Guardian of the Estate of
Hamziah Alkhafaji, and SANA ALI *in her
capacity as guardian for A.A.*

Defendants.

Order of Court

This is an interpleader action for disbursement of the death benefits of an insurance policy taken out by decedent Abbass Alkhafaji through Prudential Insurance Company of America. By prior Opinion and Order on Summary Judgment, the Court granted plaintiff's motion for interpleader and deposited the proceeds of said insurance policy in the amount of \$50,000.00 with the Clerk of Court (doc. nos. 29 and 30).

Currently pending before this Court is defendant/interpleader Sana Ali's letter motion (doc. no. 54) requesting a transcript of the initial case management conference (ICMC) held on October 27, 2010, which she failed to attend, at no cost to her. At the ICMC on October 27, 2010, given that only one interpleader attended said conference, the Court determined that it would issue a Rule to Show Cause as to why the interpleaded funds should not be divided equally among the 8 children of decedent. The Court provided the Rule to Show Cause to

defendants/interpleaders via certified mail, and a notice of receipt was entered on behalf of all defendants/interpleaders, including Sana Ali (doc. no. 40). Upon motion of defendant/interpleader Sana Ali filed on November 15, 2010 (doc. no. 47), the Court granted her motion for a hearing and scheduled a Second ICMC for December 29, 2010, and has sent said Order to all parties via certified mail with return receipt requested (doc. no. 48 and text order of November 16, 2010). Notices of receipt were filed on behalf of all defendants/interpleaders, including Sana Ali (doc. no. 53). Defendants/interpleaders have since responded to the Rule to Show Cause (doc. nos. 43-46 and 49).

Defendant/interpleader Sana Ali then filed the instant motion seeking a transcript of the October 27, 2010 hearing at no cost to her (doc. no. 54). According to Title 28 United States Code Section 753 (“the Court Reporters Act”), the Court Reporter is entitled to charge and collect fees for transcripts requested by the parties at rates prescribed by the Court subject to the approval of the Judicial Conference. There is no rule that requires the Court to order transcripts of a hearing in a civil case with no costs to a *pro se* civil litigant such as Ms. Ali. The Court therefore DENIES said Motion (doc. no. 54).¹

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties (VIA CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED)

FATIN ALKHAFAJI
17 Lilac Road
New Castle, PA 16105

¹ Defendant/Interpleader Sana Ali is free to attempt to negotiate with the other defendants/interpleaders to jointly request a copy of said transcript and to prepay the costs of said transcript with a portion of the proceeds of the insurance policy which are currently held in the Court Registry.

ALLIAH ALKHAFAJI

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SHAEMAH ALKHAFAJI

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SANA ALI

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